

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, FEBRUARY 5, 1996
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:13 p.m. City Manager McGrory announced that the California Water Environment Association, a professional organization for the wastewater industries in the state of California, accepts nominations from organizations across the State in terms of facility safety, innovative and beneficial facility improvements for an overall award for small and large treatment plants of the year. The City of San Diego has been recognized this year by the local section with the award of a Large Treatment Plant of the Year. This is the first time in the history of the association that the City of San Diego has won this award from the San Diego Section. City Manager McGrory presented the award to Dave Schlesinger who, in turn, recognized the representative staff members present: Oliver Brown, Assistant Deputy Director at the site; John Eifling, Plant Superintendent; Alice Benson, Resources and Development Training Branch; Jesse Pagliaro, Process Control Division "Honcho"; Larry Rogers, Plant Maintenance; John Nicolossi, Plant Operations; Bill Shannon, Fiesta Island Operations Group; and Pam Lamont, Pump Station #2, representing all the dedicated pump station operators.

Mayor Golding adjourned the meeting at 4:32 p.m. into Closed Session on Tuesday, February 6, 1996, at 9:00 a.m. in the twelfth floor conference room to discuss pending and potential litigation matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

Clerk-Fishkin (mp)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Daniel Lantis of the First Christian Fellowship Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Deputy Mayor Stallings.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Don Stillwell relating to the Flat Tax vs. Income Tax and the difference between income and wages.

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FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A045-065.)

ITEM-PC-2:

Comments by David Bruce Thompson on feeding the children and feeding the disadvantaged.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A066-087.)

ITEM-PC-3:

Comments by D. T. Radanlovich regarding Mayor Golding trailing the Stadium item several weeks ago and not discussing it until towards the end of the meeting and after he had to leave.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A089-116.)

COUNCIL COMMENT:

ITEM-CC-1:

Comments by Council Member Vargas on the tragic situation with the City Schools District because both sides are not talking; that the School District has broken their contract with the City to educate our children; asking Mayor Golding and City Manager McGrory to halt all activities with the School District until the teachers are back in the classrooms.

Mayor Golding stated that she has met with both sides and has asked them to continue to negotiate until the matter is resolved. She also stated that the most important thing is to get the children back in school.

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Council Member Stevens asked that the San Diego Police Department provide safety to all who go to school and to the teachers who cross the picket lines.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A650-B179.)

ITEM-CC-2:

Council Member Warden announced that the Buick Golf Tournament will take place this week.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B060-079.)

ITEM-CC-3: REFERRED TO CITY MANAGER AND CITY ATTORNEY

Council Member McCarty stated that she heard the Convention Center Corporation was going to sublet the management of the Convention Concourse. She stated that the contract does not state that Convention Center Corporation can do that unilaterally. She asked that the City Manager and the City Attorney make sure the City has not lost this asset and to return to Council with a report on their investigation. Deputy Mayor Stallings expressed concerns about the rumors and the effect that would have on the bookings.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B080-104.)

ITEM-CC-4:

Council Member Stevens thanked Council for their support of the \$35,000.00 for St. Vincent dePaul to continue to feed the homeless those three days a week.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B110-120.)

ITEM-30: APPROVED MINUTES

Approval of Council Minutes for the Meetings of:

01/15/96 Adjourned

01/16/96

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B179-184.)

MOTION BY WARDEN TO APPROVE THE MINUTES. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31:

SUBJECT: Recognition of the City-wide Energy Task Force.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-843) ADOPTED AS RESOLUTION R-286877

Recognizing and expressing appreciation of the outstanding efforts of the members of the Energy Task Force in the area of energy conservation.

CITY MANAGER SUPPORTING INFORMATION:

In 1995 the City-wide Energy Task Force was responsible for reducing electrical energy consumption by 1,969,820 kilowatts which will result in an annual cost savings of \$172,616. As such the City of San Diego was one of the top 16 electrical energy savers among all businesses in the San Diego Gas and Electric Company region. The City received an award from San Diego Gas and Electric Company for its energy conservation efforts. This action is to recognize the members of the Task Force for their outstanding efforts.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B248-293.)

CONSENT MOTION BY WEAR TO ADOPT. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-50:

SUBJECT: Proposed New Lease with Kathryn Crake Huntington, Sports Arena Area.

(Midway Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-96-99) INTRODUCED, TO BE ADOPTED FEBRUARY 20, 1996

Introduction of an Ordinance authorizing the City Manager to execute a 10-year lease agreement with Kathryn Crake Huntington, for approximately five acres of property located at 3340 Sports Arena Boulevard, at an initial minimum annual rent of \$70,000.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 1/17/96, LU&H voted 5-0 to approve the City Manager's recommendation. (Councilmembers Mathis, Wear, Stevens, Warden and McCarty voted yea.)

CITY MANAGER SUPPORTING INFORMATION:

In the early 1960's, as part of an arrangement with the original operators of the Sports Arena, the City granted a lease of approximately 11 acres fronting on Sports Arena Boulevard to a Union Oil Company Partnership.

Union Oil executed a sublease with Kathryn Crake in 1976 for 5 acres on which to construct and operate a shopping center. In 1985, the City acquired Union Oil's interest, and Crake thus became a direct lessee of the City.

The terms of the original lease required a rental adjustment in 1991 that tied rents to an appraisal procedure which were difficult to implement, would have resulted in a very large rental increase which the center could not support, and would likely have forced Crake into bankruptcy. Staff consulted the Real Estate Advisory Committee and briefed Council on a number of occasions on the status of rental negotiations in Closed Session. In July, 1994 Council instructed staff to resolve the impasse without forcing Crake to file for bankruptcy relief by shortening the lease term in exchange for lower rent. By taking this action, the City will regain control of the 5 acre site sooner so that it could be available for a possible redevelopment of the existing Sports Arena site. The proposed new agreement requires the greater of minimum annual rent of \$70,000 or 90 percent of net cash flow (present annual minimum rent is \$64,000). The lease is effective upon execution by the City Manager and will terminate in 2005 rather than 2015 as specified in the original lease. It requires payment upon execution of \$60,000 in settlement of back rent. The City may terminate the lease at any time with one year's notice by paying off the balance of existing loans, which now total approximately \$2.2 million. Crake will continue to make regular payments on the loans, which will be fully amortized by 2005.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B295-389.)

CONSENT MOTION BY WEAR TO INTRODUCE THE ORDINANCE. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-100:

SUBJECT: Child Care Coordination Five Year Work Plan and Annual Report.

(See City Manager Report CMR-96-06.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-775) ADOPTED AS RESOLUTION R-286878

Adopting the Child Care Coordination Five-Year Work Plan, that identifies the goals of increasing accessibility to quality, affordable child care services for persons in the City.

PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S
RECOMMENDATION:

On 1/17/96, PS&NS voted 5-0 to accept the report on consent.
(Councilmembers Wear, Kehoe, Stevens, McCarty and Vargas voted
yea).

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B295-389.)

CONSENT MOTION BY WEAR TO ADOPT. Second by McCarty. Passed
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-101:

SUBJECT: San Diego Chargers Training Facility - Phase II.

(Mission Valley and Kearny Mesa Community Areas.
District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-828) ADOPTED AS RESOLUTION R-286879

Approving the plans and specifications for the
furnishing of all labor, material, tools, equipment,
transportation and other expense necessary or
incidental for the Construction of the San Diego
Chargers Training Facility - Phase II on Work Order No.
341211-A. (BID-K96053C)

CITY MANAGER SUPPORTING INFORMATION:

On May 15, 1995 the City Council authorized and subsequently adopted an ordinance for the 1995 Agreement for the Partial Use and Occupancy of San Diego Jack Murphy Stadium between the Chargers Football Company and the City (the "1995 Agreement"). The 1995 Agreement provided for \$60,000,000 in Stadium and related improvements, including: additional seating at the Stadium, renovation and construction of skybox suites, improved public amenities at the Stadium, new scoreboards, and a training facility. The San Diego Chargers Training Facility will provide administrative, player, public relations, and ticket facilities. Some of the building functions include weight training, auditorium, steam rooms, locker rooms, staff lounge, offices, conference room, and media rooms. Phase I included the site work (practice fields, building pads, etc.) and will be completed in January 1996. Phase II includes construction of the building, landscaping, and all remaining finish work.

FILE LOCATION: CONT - Douglas E. Barnhart, Inc.
 61 (Stadium) CONTFY96-1

COUNCIL ACTION: (Tape location: B295-389.)

CONSENT MOTION BY WEAR TO ADOPT WITH DIRECTION TO THE CITY MANAGER NOT TO LET THE CONTRACT UNTIL SUCH TIME AS THERE IS A RESOLUTION ON THIS MATTER. DIRECT THE CITY MANAGER RETURN TO COUNCIL BEFORE ANY CONTRACTS ARE LET SO THAT THE COUNCIL KNOWS WHAT THE STATUS IS INASMUCH AS THIS WILL AFFECT OTHER PROGRAMS IN THE CITY. THIS ACTION WILL NOT ALLOCATE ANY FUNDS; IT ALLOWS THE CITY MANAGER TO MOVE FORWARD. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-nay, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-102:

SUBJECT: Sewer Easement Abandonment on Federal Boulevard between
 60th Street and Winnett Street.

(Encanto Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-829) ADOPTED AS RESOLUTION R-286880

Authorizing the execution of a quitclaim deed, quitclaiming to George Rhia all the City's right, title and interest in a sewer easement in Lots 1 through 7, Encanto Industrial Park, Map-7035, in exchange for the right to enter the property to facilitate the relocation of the South Chollas Trunk Sewer.

CITY MANAGER SUPPORTING INFORMATION:

In 1991, the Water Utilities Department agreed to abandon the easement across Lots 1 through 7, Encanto Industrial Park in exchange for the right to enter the property to facilitate the relocation of the South Chollas Trunk Sewer. The project is now complete and in operation and the owner has requested abandonment of the sewer. The easement was acquired by the City of San Diego at no cost. The easement has been reviewed by all affected City departments and all have concluded there is no present or prospective public need. Therefore, abandonment is recommended.

FILE LOCATION: DEED F-6654 DEEDFY96-1

COUNCIL ACTION: (Tape location: B295-389.)

CONSENT MOTION BY WEAR TO ADOPT. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-103:

SUBJECT: Sewer Easement Abandonment.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-790) ADOPTED AS RESOLUTION R-286881

Authorizing the sale by negotiation of a surplus sewer easement in Lots 7, 8, and 12-19, Block 6, La Jolla

Strand, Map-1216, to La Jolla Palms Limited Partnership and Mandarin Partners for the cost of processing the documents;

Authorizing the execution of a quitclaim deed, quitclaiming the property to La Jolla Palms Limited Partnership and Mandarin Partners;

Declaring that no broker's commission shall be paid by the City on the negotiated sale.

CITY MANAGER SUPPORTING INFORMATION:

The proposed sewer easement abandonment has been requested by the affected property owner in order to unencumber the property for the purpose of refinancing. The easement encumbers 1,617 square feet and bisects the property. The easement was reserved from an alley vacation per document recorded in Book 4018, Page 198, O.R., dated March 17, 1951. There is an existing sewer line within the easement proposed for abandonment serving only the applicant's property. The applicant has entered into an agreement to provide maintenance of this sewer in perpetuity at the applicant's expense. There are no plans to install any public sewer lines within the easement proposed for abandonment in the future and no redevelopment of the property is anticipated at this time.

The sewer system for this area has been established. The sewer easement has no present or potential value to the City of San Diego and may be quitclaimed for the cost of processing the documents. It is therefore recommended to the City Council that issuance of a quitclaim deed to the property owner be authorized.

FILE LOCATION: DEED F-6662 DEEDFY96-1

COUNCIL ACTION: (Tape location: B295-389.)

CONSENT MOTION BY WEAR TO ADOPT. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-104:

SUBJECT: Improvement of Dahlia and Donax Avenues.

(Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-825) ADOPTED AS RESOLUTION R-286882

Authorizing the Auditor and Comptroller to transfer not to exceed \$30,000 from CIP-17-002.0, Annual Allocation, Storm Drain Project Not Yet Identified, TransNet Fund 30300 to CIP-11-281.0, Dahlia Avenue and Donax Avenue Storm Drain;

Authorizing the expenditure of not to exceed \$30,000 from CIP-11-281.0, Dahlia Avenue and Donax Avenue Storm Drain, TransNet Fund 30300, for the purpose of providing funds for the improvement of Dahlia Avenue and Donax Avenue.

CITY MANAGER SUPPORTING INFORMATION:

The City Council approved the confirmation of assessments for the improvement of Dahlia and Donax Avenues on November 21, 1995. Due to the complexity of the project, the street and drainage improvements would be funded by the 1911 Act Assessment, and a pump station would be funded by the City. The assessment district has been assessed according to each parcel's frontage along the improvements. To complete this project, an additional \$30,000 is needed to fund the City's portion of the closing change order and related engineering charges.
Aud. Cert. 9600771.

FILE LOCATION: STRT - D-2286

COUNCIL ACTION: (Tape location: B295-389.)

CONSENT MOTION BY WEAR TO ADOPT. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-105:

SUBJECT: Transfer of CDBG Funds to the North Park Defensible

Neighborhood Project.

(North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-800) ADOPTED AS RESOLUTION R-286883

Authorizing the City Auditor and Comptroller to transfer the sum of \$20,000 from CDBG Fund 18530, Department 4061, Organization 6106 (North Park University Avenue Project) to CDBG Fund 18530, Department 4070, Organization 7028 (North Park Defensible Neighborhood Project);

Authorizing the expenditure of \$20,000 from CDBG Fund 18520, Department 4070, Organization 7028.

Aud. Cert. 9600754.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B295-389.)

CONSENT MOTION BY WEAR TO ADOPT. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-106:

SUBJECT: Captain Anthony "Skip" DiCerchio Day in San Diego.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-96-772 Cor. Copy) ADOPTED AS RESOLUTION R-286884

Recognizing the outstanding contributions that Captain Anthony "Skip" DiCerchio has made to protect and serve

the citizens of the City of San Diego;

Proclaiming January 19, 1996 to be "Captain Anthony
'Skip' DiCerchio Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B295-389.)

CONSENT MOTION BY WEAR TO ADOPT. Second by McCarty. Passed
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-107:

SUBJECT: Alzheimer's Association of San Diego - Office Building
Renovation.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-824) ADOPTED AS RESOLUTION R-286885

Authorizing an agreement with Alzheimer's Association
of San Diego for design and construction of its office
building at 8514 Commerce Avenue;

Authorizing the expenditure of not to exceed \$16,500
from CDBG Fund 18531, Dept. 4082, J.O. 112592.

CITY MANAGER SUPPORTING INFORMATION:

Both the Alzheimer's Association of San Diego, a non-profit
organization located at 8514 Commerce Avenue, and the Alzheimer's
Association (National) were founded in 1980. The San Diego
Chapter operated on a volunteer basis until 1989. The
Alzheimer's Association of San Diego provides services to
families affected by Alzheimer's Disease. The services include a
Helpline that averages over 200 calls, twenty-eight support
groups serving San Diego County, a special respite program for
"early stage" Alzheimer's victims, a volunteer respite network

for an in-house respite program, annual educational conferences and seminars, a mobile library, and an in-office library for information to professionals and the community. The Alzheimer's Association is proposing to design and renovate its existing office building to improve their services and office functions. On May 1, 1995, City Council adopted Resolution R-285685 granting \$16,500 for this project. This action will allow the \$16,500 to be used for this purpose.

Aud. Cert. 9600765.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: B295-389.)

CONSENT MOTION BY WEAR TO ADOPT. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-108:

SUBJECT: Amendment No. 7 to the Agreement with Parsons Engineering-Science, Inc. for the Point Loma Outfall Ballast Installation.

(Point Loma Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-837) ADOPTED AS RESOLUTION R-286886

Authorizing a seventh amendment to the agreement with Parsons Engineering-Science, Inc., for the design of the Point Loma Outfall Ballast Installation;

Authorizing the Auditor and Comptroller to transfer not to exceed \$171,825 from CIP-45-911.0, South Metro Interceptor Project, to CIP-40-911.5, State Ocean Plan Compliance Facilities - Phase II;

Authorizing the expenditure of not to exceed \$171,825

from CIP-40-911.5, State Ocean Plan Compliance
Facilities Phase II.

CITY MANAGER SUPPORTING INFORMATION:

This amendment with Parsons Engineering Science, Inc. will allow for the design of additional ballast to be placed on the original Point Loma Outfall. To comply with State Ocean Plan requirements, Parsons Engineering Science, Inc. designed the outfall extension which was constructed in 1993. With that construction came regulatory requirements that the outfall be inspected on an annual basis until such requirements are modified. The Annual Point Loma Outfall Inspection Report finalized in 1995 indicated that the seaward forty percent of the original outfall has low rock ballast. The report recommends that this seaward portion receive additional rock ballast. The near shore portion of the original outfall was re-ballasted during the repair project following the outfall failure in 1992. With the design and subsequent construction of this ballasting project the entire bottom lay portion of the original outfall will have been re-ballasted.

Aud. Cert. 9600767.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: B295-389.)

CONSENT MOTION BY WEAR TO ADOPT. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-109:

SUBJECT: Two actions related to the Agreement between the City of San Diego and the City of Poway regarding Ladder Repair Service.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-633) ADOPTED AS RESOLUTION R-286887

Authorizing the City Manager to allow the San Diego

Fire Department to repair ladders for the fire departments of local jurisdictions and to cover the costs of such services.

Subitem-B: (R-96-632) ADOPTED AS RESOLUTION R-286888

Authorizing an agreement with the City of Poway to allow the San Diego Fire Department to repair ladders for the Poway Fire Department, and provide reimbursement of costs for this service, from December 1, 1995 through December 1, 1996.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Fire Department is equipped to maintain and repair ladders used in fire suppression and related emergency activities. The City of Poway seeks to contract with the San Diego Fire Department for the repair of Poway Fire Department's ladders, and is agreeable to reimbursing San Diego for the costs of labor and materials. The hourly charge for ladder repairs will reflect current wage, fringe and overhead rates. The time required for the repair of a pole, roof or wall ladder is estimated at one hour; time required for ground extension ladders is estimated at one hour; time required for ground extension ladders is estimated to range from two to four hours per ladder. The cost of materials will vary. The City of San Diego will invoice the City of Poway upon completion of work. Other local fire departments have indicated an interest in the service; similar agreements would be made between them and San Diego.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: B295-389.)

CONSENT MOTION BY WEAR TO ADOPT. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-110:

SUBJECT: Agreement with Simon Wong Engineering for the Design of Rancho Bernardo Reservoir Rehabilitation.

(Rancho Bernardo Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-761) ADOPTED AS RESOLUTION R-286889

Authorizing an agreement with Simon Wong Engineering,
for design of the Rancho Bernardo Reservoir
Rehabilitation;

Authorizing the expenditure of not to exceed \$608,631
from Water Revenue Fund 41502, CIP-73-277.0, Annual
Allocation, Standpipe and Reservoir Restoration.

CITY MANAGER SUPPORTING INFORMATION:

The existing 10 million gallon Rancho Bernardo Reservoir, located in the Rancho Bernardo Community on Big Springs Way, has served the area for over 30 years. The Rancho Bernardo Reservoir Rehabilitation project was initiated to address existing deterioration in the columns, wall, liner, telemetry, cathodic protection and drainage. The rehabilitation of this project is also required, under the compliance agreement between Department of Health Services and the City of San Diego. The complex nature and variety of the work require the experience and expertise of a consulting engineer. The names of five engineering consulting firms were provided by the consultant services coordinator. These firms were interviewed in conformance with Council Policy 300-7.

Simon Wong, Engineering, an MBE Consultant, was selected as the best qualified to provide consultant services. Simon Wong Engineering will investigate various alternatives for the rehabilitation improvements and will provide detailed construction drawings, specifications, and cost estimates for the final recommended project. The sub-consultants for this project are: John Powell and Associates, 27.0 percent; PSG Corrosion Engineering, Inc., 10.4 percent; Kanrad Engineering, Inc. (MBE), 5.3 percent; and Carroll, Chapin and Arevalo, Inc. (WBE), 2.5 percent.

Aud. Cert. 9600715.

WWF-96-200.

FILE LOCATION:

MEET

CCONTFY96-1

COUNCIL ACTION: (Tape location: B295-389.)

CONSENT MOTION BY WEAR TO ADOPT. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200:

SUBJECT: Recommendations for Park Alcohol Bans City-Wide.
(See City Manager Report CMR-96-15.)

CITY MANAGER'S RECOMMENDATION:

Adopt the Manager's site recommendations and introduce the following ordinance:

(O-96-103) INTRODUCED AS AMENDED, TO BE ADOPTED FEBRUARY
20, 1996

Introduction of an Ordinance amending Chapter V, Article 6, of the San Diego Municipal Code by amending Section 56.54 relating to Alcoholic Beverage Consumption, to prohibit consumption of alcohol in public parks as recommended by local community groups, except where the San Diego Police Department recommends an alternate ban.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B448-D202.)

MOTION BY McCARTY TO INTRODUCE THE ORDINANCE AS AMENDED BY APPROVING THE CITY MANAGER'S RECOMMENDATION FOR ALL THE PARKS EXCEPT THE FOLLOWING:

IN DISTRICT 8: MONTGOMERY WALLER COMMUNITY PARK PALM RIDGE NEIGHBORHOOD PARK SILVERWING NEIGHBORHOOD PARK SUNNY SLOPE NEIGHBORHOOD PARK IN DISTRICT 4: BAY TERRACES BOONE NEIGHBORHOOD PARK LA PAZ MINI PARK (UNDEVELOPED) SANTA ISABEL MINI PARK MARTIN L. KING COMMUNITY PARK PARADISE HILLS COMMUNITY PARK PARKSIDE NEIGHBORHOOD PARK IN DISTRICT 2: PRESIDIO PARK WITH RESPECT TO MARINE STREET BEACH, THE BOUNDARIES ARE

DEFINED AS, "MARINE STREET BEACH, INCLUDING THE BEACH, BLUFFS, STAIRS AND ADJACENT PUBLIC RIGHTS-OF-WAY BETWEEN THE NORTHERN PROPERTY LINE OF 274 COAST BOULEVARD AND THE WESTERLY EXTENSION OF THE NORTHERN SIDE OF WESTBOURNE STREET. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY VARGAS TO PLACE A 24-HOUR BAN ON ALL PARKS IN DISTRICT 8. ACCEPT COUNCIL MEMBER STEVENS' AMENDMENT TO INCLUDE THOSE PARKS IN DISTRICT 4. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY WEAR TO MODIFY THE CITY MANAGER'S RECOMMENDATION, PLACING AN 8:00 P.M. TO 8:00 A.M. BAN AT THE FOLLOWING PARKS: BILL CLEATOR PARK, COLLIER NEIGHBORHOOD PARK, OCEAN BEACH COMMUNITY PARK, AND PRESIDIO PARK. REFER TO THE CITY MANAGER THE CONCERNS OF THE HASH HOUSE HARRIERS AND INVOLVE THE MAYOR'S OFFICE IN THEIR DISCUSSIONS. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Exclusive Sale or Lease of the East Half of City-Owned Site 409.

(See City Manager Report CMR-96-18. Located on the northwest corner of Ocean View Boulevard and 49th Street. Lincoln Park Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-96-104) INTRODUCED, TO BE ADOPTED ON FEBRUARY 20,
1996

Authorizing a 15-year lease agreement with Housing Our People Economically Community Development Corporation

(H.O.P.E.) for the east half of City-owned Site 409, at an annual rent of \$600, including an option to purchase with rent paid credited against the fair market value purchase price;

Rejecting H.O.P.E.'s offer to purchase of \$500.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B295-389.)

CONSENT MOTION BY WEAR TO INTRODUCE THE ORDINANCE. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202:

SUBJECT: Approving the Plans and Specifications for the Improvement of Fairmount Avenue - Federal Boulevard to Home Avenue - Phase II.

(Webster Neighborhood. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-518) ADOPTED AS RESOLUTION R-286890

Approving the plans and specifications for the Improvement of Fairmount Avenue - Federal Boulevard to Home Avenue - Phase II on Work Order No. 119922;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of \$930,498 from Prop A (30300) and \$2,301,425 from STP (38602).
(BID-K96057FAC)

CITY MANAGER SUPPORTING INFORMATION:

This project is the second phase of a two phase project, identified in CIP-52-182.0, Fairmount Avenue - Federal Boulevard

to Home Avenue. This Phase 2 project will widen Fairmount Avenue from Home Avenue to Ridgeview Drive. Right-of-way has been acquired for the project and construction is anticipated to begin January, 1996, after SDG&E and Pac Bell overhead utilities are under-grounded. Fairmount Avenue exists as a two-lane collector street. The proposed street will be a four-lane collector street with Class 2 Bike Lanes. The proposed project will provide curbs, sidewalks, a traffic signal at Ridgeview Drive, street lighting, drainage improvements, bus stop improvements, a large landscaped retaining wall with irrigation, and conversion of overhead to underground utilities. This project has been through the contractor pre-qualification process and five contractors are approved to bid on this job. At a subsequent date staff will make a presentation to a Council Committee as to the results of this pilot pre-qualification process.

Aud. Cert. 9600688.

FILE LOCATION: W.O. 119922; CONT - Sim J. Harris Co.
CONTFY96-1

COUNCIL ACTION: (Tape location: B295-389.)

CONSENT MOTION BY WEAR TO ADOPT. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203:

SUBJECT: Memorandum of Understanding for the Point Loma Natural Resources Management Plan.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-838) ADOPTED AS RESOLUTION R-286891

Authorizing a Memorandum of Understanding with the U.S. Coast Guard, the National Park Service, the U.S. Fish and Wildlife Service, the Department of Veterans Affairs, and the U.S. Navy (collectively, the federal

landowners at Point Loma, San Diego), for the Natural Resources Management Plan in connection with the Point Loma Ecological Reserve Area.

CITY MANAGER SUPPORTING INFORMATION:

The five Navy Commands and the other four governmental landowners of the Point Loma complex (which includes the City of San Diego) have been involved in a planning effort since April 1993 to develop an Ecological Reserve Area (ERA) on Point Loma. This ERA will set aside 640 acres of high-quality habitat, and will serve as mitigation for cumulative impacts associated with the many on-going projects on Point Loma. The ERA was designed to set aside sensitive biological communities on Point Loma in a quantity and configuration that would ensure long-term viability of the resources. Biological surveys were conducted and a "biologically optimal" reserve design was developed. The landowners then identified operational and development conflicts and a number of acres were withdrawn, resulting in the present reserve design. A Memorandum of Understanding (MOU) has been negotiated with the U.S. Fish and Wildlife Service to implement the reserve management plan. The MOU must be signed by all the landowners who will participate in the Reserve Working Group. Signing the MOU does not commit any of the landowners to permanent membership in the Working Group. Termination of the agreement by any of the signatories requires 30 days notification. The title to all properties designated within the reserve shall remain with each landowner. The MOU was signed by all landowners except the City of San Diego at a ceremony on November 28, 1995.

FILE LOCATION: MEET CONTFY96-5

COUNCIL ACTION: (Tape location: B390-441.)

MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-S400:

SUBJECT: Saint Vincent DePaul Village.

(Trailed as unfinished business from the meeting of

January 30, 1996, Non-Docket Item 1.)

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-96-873 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-286892

Authorizing the City Auditor and Comptroller to transfer the sum of \$49,380 of Stewart B. McKinney Act Funds to the Housing Commission;

Requesting that the Housing Commission enter into a contract with either "Catholic Worker" or St. Vincent DePaul organization for provision of food services to the homeless for the period of February 1, 1996 to June 30, 1997.

Aud. Cert. 9600816.

NOTE: Motion by Councilmember Stevens to transfer \$49,380 of Stewart B. McKinney Act Funds to the Housing Commission. The Housing Commission to enter into a contract with the Catholic Workers, with the money to be directed to be used for food and feeding not for other expenditures, for the period from February 1, 1996 to February 1, 1997.

Mayor Golding suggested, and Councilmember Stevens accepted, that his motion be revised to state that the amount given to the Catholic Workers should be \$35,000, or whatever amount is appropriate, to cover the cost of feeding the homeless for the three days per week that St. Vincent DePaul said they would discontinue food from February 1, 1996 to June 30, 1996. Councilmember Stevens also included in the motion, as suggested by Mayor Golding, that the Catholic Workers be required to fill out all the normal applications and go through the normal process for receiving funds, including stating how the funds will be used. Second by Vargas. Failed by the following vote: Mathis-not present, Wear-yea, Kehoe-nay, Stevens-yea, Warden-nay, Stallings-nay, McCarty-not present, Vargas-yea, Mayor Golding-yea.

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FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A126-645.)

MOTION BY STEVENS TO ADOPT THE RESOLUTION AS AMENDED TO MAKE AVAILABLE TO THE ST. VINCENT DEPAUL ORGANIZATION \$35,000.00 TO FEED THE HOMELESS ON WEDNESDAYS, THURSDAYS, AND FRIDAYS, TWO MEALS EACH DAY, THROUGH JUNE 30, 1996. Second by Vargas.

AMENDMENT TO THE MOTION BY McCARTY TO STATE THAT IT IS THE SENSE OF THIS COUNCIL TO KEEP THIS IN MIND WHEN ALLOCATING FUNDS AT THE NEXT BUDGET SESSION. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-nay, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-nay, Mayor Golding-nay.

Motion by Stevens passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 4:32 p.m. in honor of the memory of:

Harry Haelsig as requested by Mayor Golding;

Joy Lauderbach and Noel Johnson as requested by Council Member Wear.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D210).